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## Reporting Category

No Reporting Category entered.

Log No: 1004823 Type:CR

## Accused Members

Review Name	Status	Accused Overall Finding	Recommended Penalty	No. of Days	Date/Time Served	Created Date	Complimentary History
<a href="#">View</a> SALGADO, DAVID	CLOSED/FINAL	UNFOUNDED	-	-	-	11-APR-2007	N/A

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## Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content?	Approve Inclusion?
<a href="#">View</a> 1	FACE SHEET	N/A	-	-	-	DELANEY, RICHARD	APR-11-2007 15:22	-	-	-
<a href="#">View</a> 2	CONFLICT CERTIFICATION	N/A	-	-	-	OLVERA, MARIA	APR-16-2007 15:27	-	-	-
<a href="#">View</a> 3	CONFLICT CERTIFICATION	N/A	-	-	-	FRANKO, LINDA	APR-18-2007 10:09	-	-	-
<a href="#">View</a> 4	INTERVIEW-REPORTING PARTY	N/A	2	int [REDACTED]	YES	FRANKO, LINDA	OCT-24-2007 16:34	APPROVED	-	YES
<a href="#">View</a> 5	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1	aff	YES	FRANKO, LINDA	OCT-24-2007 16:34	APPROVED	-	YES
<a href="#">View</a> 6	REPORT (OTHER)	N/A	3	lineup form and id	YES	FRANKO, LINDA	OCT-24-2007 16:35	APPROVED	-	YES
<a href="#">View</a> 7	REPORT (OTHER)	N/A	1	observation of injury	YES	FRANKO, LINDA	OCT-24-2007 16:36	APPROVED	-	YES
<a href="#">View</a> 8	INTERVIEW - WITNESS	N/A	4	int wit [REDACTED]	YES	FRANKO, LINDA	OCT-24-2007 16:38	APPROVED	-	YES
<a href="#">View</a> 9	REPORT (OTHER)	N/A	1	aff from witness	YES	FRANKO, LINDA	OCT-24-2007 16:39	APPROVED	-	YES
<a href="#">View</a> 10	REPORT (OTHER)	N/A	1	addit info	YES	FRANKO, LINDA	OCT-24-2007 16:41	APPROVED	-	YES
<a href="#">View</a> 11	REPORT (OTHER)	N/A	3	lineup form & id	YES	FRANKO, LINDA	OCT-24-2007 16:42	APPROVED	-	YES
<a href="#">View</a> 12	ARREST REPORT	N/A	5	arrest report [REDACTED]	NO	FRANKO, LINDA	OCT-24-2007 16:43	APPROVED	-	YES
<a href="#">View</a> 13	PHOTOGRAPH	N/A	1	mugshot [REDACTED]	NO	FRANKO, LINDA	OCT-24-2007 16:44	APPROVED	-	YES
<a href="#">View</a> 14	CANVASS SHEETS	N/A	1	canvass	YES	FRANKO, LINDA	OCT-24-2007 16:49	APPROVED	-	YES
<a href="#">View</a> 15	REPORT (OTHER)	N/A	2	incident report from restaurant	NO	FRANKO, LINDA	OCT-24-2007 16:51	APPROVED	-	YES

<a href="#">View</a>	16	REPORT (OTHER)	N/A	1	oemc 1484	NO	FRANKO, LINDA	OCT-24-2007 16:52	APPROVED -	YES
<a href="#">View</a>	17	ATTENDANCE AND ASSIGNMENT RECORD	N/A	4	a & a unit 010 1st watch	NO	FRANKO, LINDA	OCT-25-2007 08:46	APPROVED -	YES
<a href="#">View</a>	18	REPORT (OTHER)	N/A	1	iad half sheet acc po salgado	YES	FRANKO, LINDA	APR-03-2008 14:12	APPROVED -	YES
<a href="#">View</a>	19	REQUEST FOR INTERVIEW/STATEMENT/REPORT	N/A	2	po david salgado	NO	FRANKO, LINDA	JUL-08-2008 14:27	APPROVED -	YES
<a href="#">View</a>	20	WITNESS REPORT	N/A	2	po carlos vieyra	NO	FRANKO, LINDA	JUL-08-2008 14:28	APPROVED -	YES
<a href="#">View</a>	21	WITNESS REPORT	N/A	2	po joseph oskvarek	NO	FRANKO, LINDA	JUL-08-2008 14:29	APPROVED -	YES
<a href="#">View</a>	22	WITNESS REPORT	N/A	1	po oskvarek	YES	FRANKO, LINDA	JUL-31-2008 11:31	APPROVED -	YES
<a href="#">View</a>	23	WITNESS REPORT	N/A	1	po vieyra	YES	FRANKO, LINDA	JUL-31-2008 11:32	APPROVED -	YES
<a href="#">View</a>	24	REPORT (OTHER)	N/A	2	let from compl [REDACTED]	YES	FRANKO, LINDA	JUL-31-2008 11:32	APPROVED -	YES
<a href="#">View</a>	25	NOTIF OF CHARGES/ALLEGATIONS - ADM PROC RIGHTS (STATUTORY)	N/A	1	po salgado	YES	FRANKO, LINDA	JUL-31-2008 11:33	APPROVED -	YES
<a href="#">View</a>	26	WAIVER OF COUNSEL/REQUEST TO SECURE COUNSEL	N/A	1	po salgado	YES	FRANKO, LINDA	JUL-31-2008 11:34	APPROVED -	YES
<a href="#">View</a>	27	ACCUSED REPORT	N/A	2	po salgado	YES	FRANKO, LINDA	JUL-31-2008 11:34	APPROVED -	YES
<a href="#">View</a>	28	INVESTIGATOR CASE LOG	N/A	2	-	YES	FRANKO, LINDA	JUL-31-2008 12:04	APPROVED -	YES
<a href="#">View</a>	-	SUMMARY REPORT DIGEST	N/A	4	-	NO	COLE-SMITH, CHERYL	AUG-21-2008 12:55	APPROVED -	YES

row(s) 1 - 29 of 29

**Internal Use Only**

No Internal Use Only attachments available.

**Print Accused Appeal Forms**

No Accused Appeal forms available for this Log No.

**Related Incidents**☒ **TIP** Related Incidents listed below are for reference only. These may be viewed using the related application search screens.

No Related Incidents associated with this Log No.

**Status History**☒ **TIP** Every employee included in the Status History is subject to be called for legal or administrative proceedings.

Resulting Status	Status Date/Time	Created By	Position	Employee No.	Assigned/ Detailed Unit	Comments
CLOSED AT C.O.P.A.	08-SEP-2008 16:00	DEBONNETT, ALICE	POLICE OFFICER	[REDACTED]	009 / 543	-
CLOSED/FINAL	08-SEP-2008 16:00	DEBONNETT, ALICE	POLICE OFFICER	[REDACTED]	009 / 543	-
PENDING IMPLEMENT ACTION	03-SEP-2008 09:05	GULLIFORD, WAYNE	DEP CHIEF	[REDACTED]	142 / 214	-
PENDING COMMAND CHANNEL REVIEW	28-AUG-2008 18:52	ZAVALA, ROBERTO	COMMANDER	[REDACTED]	010 / -	-
PENDING COMMAND CHANNEL REVIEW	22-AUG-2008 14:28	DEBONNETT, ALICE	POLICE OFFICER	[REDACTED]	009 / 543	-
CLOSED AT C.O.P.A.	22-AUG-2008 14:26	DEBONNETT, ALICE	POLICE OFFICER	[REDACTED]	009 / 543	-
				[REDACTED]	113 / -	-

PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	21-AUG- 2008 12:55	COLE-SMITH, CHERYL	SUPERVISING INV COPA			
PENDING INVESTIGATIVE REVIEW	21-AUG- 2008 10:49	FRANKO, LINDA	INVESTIGATOR 2 COPA		113 / -	-
PENDING INVESTIGATION	16-APR-2007 15:27	OLVERA, MARIA	SUPERVISING INV COPA		113 / -	-
PENDING ASSIGN INVESTIGATOR	12-APR-2007 10:01	FAKUADE, JOSEPH	COOR OPERATIONS COPA		113 / -	Affidavit information for this complaint has changed on 12-APR-2007 10:01 by FAKUADE, JOSEPH
PENDING ASSIGN TEAM	11-APR-2007 20:22	FREEMAN, NATHANIEL	SUPERVISING INV COPA		113 / -	-
PENDING SUPERVISOR REVIEW	11-APR-2007 17:21	DELANEY, RICHARD	INVESTIGATOR 2 COPA		113 / -	Sgt. Martin, #1193, notified regarding missing USC at 1705 hours.
PRELIMINARY	11-APR-2007 16:09	FREEMAN, NATHANIEL	SUPERVISING INV COPA		113 / -	IAD notification
PENDING SUPERVISOR REVIEW	11-APR-2007 15:22	DELANEY, RICHARD	INVESTIGATOR 2 COPA		113 / -	-
PENDING SUPERVISOR REVIEW	11-APR-2007 15:22	DELANEY, RICHARD	INVESTIGATOR 2 COPA		113 / -	-

row(s) 1 - 15 of 15

### Command Channel Reviewers

Accused Name	Sequence No.	Reviewer
SALGADO, DAVID 1		ZAVALA, ROBERTO
SALGADO, DAVID 2		GULLIFORD, WAYNE

row(s) 1 - 2 of 2

# SUMMARY REPORT DIGEST

## CHICAGO POLICE DEPARTMENT

COMPLAINT LOG NO.  
1004823

TYPE  
CR

DATE OF REPORT (Day-Mo.-Yr.)  
09 AUGUST 2008

**INSTRUCTIONS:** To be used in all cases that are to be classified as either **EXONERATED**, **UNFOUNDED**, **NOT SUSTAINED**, or in **SUSTAINED** cases where the Disciplinary Recommendation does not exceed **FIVE (5) DAYS SUSPENSION**. SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED. SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: ☒ CHIEF ADMINISTRATOR,  
INDEPENDENT POLICE REVIEW AUTHORITY ☐ CHIEF,  
INTERNAL AFFAIRS DIVISION

FROM - INVESTIGATOR'S NAME  
FRANKO, Linda

RANK  
Inv.

STAR NO.  
116

EMPLOYEE NO.  
[REDACTED]

UNIT ASSIGN.  
IPRA

UNIT DETAILED

REFERENCE NOS. (LIST ALL RELATED C.L., C. B., I.R., INVENTORY NOS., ETC., PERTINENT TO THIS INVESTIGATION)

CB #16853460, Event #0709901484

ADDRESS OF INCIDENT  
[REDACTED] S. Troy, [REDACTED] S. Spaulding

DATE OF INCIDENT - TIME  
09 Apr 07 0300

BEAT OF INCIDENT  
1033 & 1024

ACCUSED

NAME  
1. SALGADO, David

RANK  
P.O.

STAR NO.  
16347

EMPLOYEE NO.  
[REDACTED]

UNIT ASSIGN.  
010

UNIT DETAILED

2.

3.

SEX/RACE  
1. M/H

D.O.B.  
[REDACTED]

DATE OF APPOINTMENT  
25 Oct 03

DUTY STATUS (TIME OF INCIDENT)  
☒ ON DUTY ☐ OFF DUTY

☒ SWORN ☐ CIVILIAN

2.

☐ ON DUTY ☐ OFF DUTY

☐ SWORN ☐ CIVILIAN

3.

☐ ON DUTY ☐ OFF DUTY

☐ SWORN ☐ CIVILIAN

IF APPLIES, DATE ARRESTED/INDICTED

CHARGES

COURT BRANCH

DISPOSITION & DATE

1.

2.

3.

COMPLAINANT

NAME  
[REDACTED]

ADDRESS\*\*  
[REDACTED] S. Laramie

CITY  
Cicero, IL

STATE

TELEPHONE  
[REDACTED]

SEX/RACE  
M/H

D.O.B./AGE  
[REDACTED]

VICTIMS

NAME

ADDRESS\*\*

CITY

STATE

TELEPHONE

SEX/RACE

D.O.B./AGE

WITNESSES

NAME  
[REDACTED]

ADDRESS\*\*  
[REDACTED] S. Halsted

CITY  
Chicago, IL

STATE

TELEPHONE  
[REDACTED]

SEX/RACE  
M/H

D.O.B./AGE  
[REDACTED]

OSKVAREK, Joseph P.O., #8891

Unit 010; Emp. # [REDACTED]; DOA: 24 Apr 91;

PAX [REDACTED]

M/W [REDACTED]

☒ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

\*\*IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

On 11 April 2007, at 1522 hours, the complainant, Juan Cortez, telephoned the Office of Professional Standards, now known as the Independent Police Review Authority (IPRA), and registered this complaint with Investigator Richard Delaney #297. Cortez alleged that on 09 April 2007, at 0300 hours, at [REDACTED] S. Troy, Officer David Salgado, #16347, Unit #010: 1) Struck him about the face with a closed fist several times.

Cortez further alleged that on the same date, while at [REDACTED] S. Spaulding, Officer Salgado: 2) pulled him out of the squad car by his handcuffs, 3) kicked him on his torso and legs, 4) verbally sbused him by telling him to get his "bitch ass" up, 5) struck him in the stomach with a closed fist, 6) grabbed his handcuffs and squeezed them tightly, and 7) removed \$800.00 USC from his person and failed to inventory or return same.

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s).  
In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

#### INVESTIGATION:

In an in-person interview with complainant, [REDACTED] stated that he was at Los Comales Restaurant with his friend, [REDACTED]. A security guard (now known as Officer Oskvarek) escorted [REDACTED] from the premises and a squad car arrived with two officers (now known as Officers Salgado and Vieyra) and told [REDACTED] to go home. [REDACTED] called a friend via telephone to come and pick him up. Officer Salgado stated to [REDACTED], "I thought I told you to leave." Officer Salgado struck [REDACTED] in the face with a closed fist. [REDACTED] was handcuffed and taken to a squad car. While [REDACTED] was walking to the squad car, Officer Salgado struck him in the face three times with a closed fist and [REDACTED] was placed in the squad car. Officers Salgado and Vieyra drove [REDACTED] to [REDACTED] N. Spaulding and parked the squad car. Officer Salgado told [REDACTED] to get out of the squad car but [REDACTED] refused because he believed that the officers were going to hit him. Officer Salgado pulled [REDACTED] out by his handcuffs, kicked him on his torso and legs while saying, "Get your bitch ass up," struck him in the stomach with a closed fist, and grabbed [REDACTED] handcuffs and squeezed them tightly. Officer Salgado searched [REDACTED] and asked him about the money in his wallet. [REDACTED] was placed in the back of the squad car and taken to the police station. At the station, [REDACTED] pulled his money from his pocket and noticed that \$800.00 USC was missing. [REDACTED] did not sustain any injuries and did not seek any medical attention. (Att.4)

[REDACTED] viewed photographs of Department members and positively identified Officer Salgado as the officer who physically and verbally abused him and took \$800 USC and failed to return or inventory same. (Att.6)

In an Observation of Injury report, Investigator Richard Delaney #297, did not observe any visible injury to [REDACTED] (Att.7)

In an in-person interview with witness, [REDACTED] stated that he was a Los Comales Restaurant with [REDACTED]. Officer Oskvarek approached [REDACTED] and told him to calm down. Officer Oskvarek, [REDACTED] and [REDACTED] walked outside. Several police officers arrived and went inside the restaurant. Officer Salgado came out of the restaurant and told [REDACTED] to leave the area but he did not. Officer Salgado then approached [REDACTED] and grab him while another officer handcuffed him. As Officer Salgado walked [REDACTED] to a squad car, he stated, "Oh, you want to hit me?" Officer Salgado punched [REDACTED] on his face and put him in the back of the squad car. Officer Salgado told [REDACTED] that he was going to hold [REDACTED] until he "sobered up." [REDACTED] stated that he observed redness to [REDACTED] face and that [REDACTED] was slightly intoxicated. (Att.8)

SUMMARY

ATTACHMENTS

INVESTIGATIVE REPORTS-SUPPORTING ALLEGATION  
LIST ATTACHMENT NUMBERS:  
1,4,8

INVESTIGATIVE REPORTS-SUPPORTING ACCUSED MEMBER(S)  
LIST ATTACHMENT NUMBERS:  
22,23,27

PHYSICAL EVIDENCE LIST  
ATTACHMENT NUMBERS:  
0

TOTAL NUMBER OF ATTACHMENTS  
SUBMITTED WITH THIS FILE:  
28

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for — days (not to exceed 5 days).

#### FINDINGS:

Accused: Officer David Salgado, #16347  
Allegations #1-7: Unfounded

Prepared by Inv. LaKenya White, #122

#### APPROVED:

Supervisor, IPRA Cheryl Cole-Smith #11

DATE INITIATED (Date complaint was received for investigation)  
11 April 2007

DATE COMPLETED (Date of this report)  
09 August 2008

ELAPSED TIME (Total time expressed in days)  
487 Days

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

IN



**ADDITIONAL WITNESSES:**

3. VIEYRA, Carlos P.O., #5735, Unit 010; Emp. [REDACTED] DOA: 03 Jan 05; M/H; DOB: [REDACTED]

**INVESTIGATION (continued):**

Arroyo reiterated that he and [REDACTED] left the restaurant when the police arrived. [REDACTED] related that [REDACTED] is a former member of the Latin Kings. (Att.8,10)

Arroyo viewed identification photographs of Department members and positively identified Officer Salgado as the officer who punched [REDACTED]. (Att.11)

Obtained [REDACTED] Arrest Report which indicates that [REDACTED] was observed yelling "King Love" while throwing gang signs at customers inside "Los Comales." [REDACTED] was taken outside and a field interview was conducted [REDACTED] was arrested for having an active warrant. (Att.12)

A canvass of the vicinity of the alleged incident met with negative results. (Att.14)

Obtained an Incident report from Taqueria Los Comales restaurant which indicates that Officer Oskvarek tried to calm down a customer ([REDACTED]) who had become drunk. Officer Oskaverik and a manger escorted [REDACTED] outside. (Att.15)

Chicago Police Department Event Query indicates that a female caller identified as "[REDACTED]" called "911" and reported that a group of gang members were trying to fight her boyfriend inside the restaurant. (Att.16)

In a To-From-Subject-Report, Officer Oskvarek stated that he was off-duty working security. [REDACTED] had gotten into a disagreement with a man and woman and the woman called the police. The police arrived and questioned [REDACTED]. Officer Oskaverik related that he thinks that [REDACTED] was placed in a squad car without incident. Officer Oskaverik denied observing or hearing Officer Salgado commit the alleged allegations. (Att.22)

In a To-From-Subject-Report, Officer Vieyra stated essentially the same information that was provided in [REDACTED]'s Arrest Report. Officer Vieyra denied observing or hearing Officer Salgado commit the alleged allegations. (Att.23)

In a To-From-Subject-Report, Officer Salgado stated essentially the same information that was provided in [REDACTED]'s Arrest Report. Officer Salgado added that [REDACTED] appeared to be intoxicated. Officer Salgado denied committing the alleged allegations attributed to him. (Att.27)

**CONCLUSION:**

The Reporting Investigator recommends that **Allegation #1-7** against **Officer David Salgado** be classified as **Unfounded**. [REDACTED] alleged that he was struck in the face, pulled out of a squad car by his handcuffs, kicked on the torso and legs, verbally abused, struck in the stomach, and his handcuffs were squeezed to make them tighter. [REDACTED] was causing a disturbance inside the restaurant and yelling gang slogans. As a result, a customer called the police and Officer Salgado arrived and placed [REDACTED] in custody. Officers Oskvarek and Vieyra denied observing or hearing Officer Salgado commit the alleged allegations. While [REDACTED] alleges that Officer Salgado removed \$800 U.S.C. from him and failed to return or inventory same, Officer Salgado stated that [REDACTED] appeared to be intoxicated and [REDACTED] corroborated that account. Officer Salgado denied all the allegations attributed to him.